

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Harry Feigen	Team: Squad #4	CCRB Case #: 201503830	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 05/14/2015 8:30 AM	Location of Incident: Pelham Parkway South and Barnes Avenue	Precinct: 49	18 Mo. SOL 11/14/2016	EO SOL 11/14/2016	
Date/Time CV Reported Thu, 05/14/2015 9:18 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 05/14/2015 9:18 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Eddie Perez	22433	928956	PBMS

Officer(s)	Allegation	Investigator Recommendation
A.POM Eddie Perez	Discourtesy: PO Eddie Perez spoke rudely to § 87(2)(b)	
B.POM Eddie Perez	Abuse: PO Eddie Perez refused to provide his shield number to § 87(2)(b)	

Case Summary

§ 87(2)(b) filed this complaint at the CCRB by phone on May 14, 2015.

On May 14, 2015, at approximately 8:30 a.m., § 87(2)(b) was driving to his home, which is located on § 87(2)(b) § 87(2)(b) in the Bronx. At the intersection of Williamsbridge Road and Lydig Avenue, a blue Hyundai Elantra—which was being driven by PO Eddie Perez—cut in front of § 87(2)(b) vehicle, causing § 87(2)(b) to slam on his breaks and honk his horn several times. PO Perez was off-duty and was not in uniform, so § 87(2)(b) did not know he was a police officer at this time. § 87(2)(b) drove behind the Hyundai for several more blocks. During that time, the driver of the Hyundai continued to drive erratically, and he appeared to be yelling at § 87(2)(b) from inside of his vehicle.

§ 87(2)(b) passed the vehicle, which had stopped in front of § 87(2)(b). He pulled around his block, and as he was about to park near the intersection of Barnes Avenue and Pelham Parkway South, the blue Hyundai pulled up behind him. § 87(2)(b) parked and exited his vehicle, and then PO Perez motioned for § 87(2)(b) to come over. PO Perez remained in his vehicle and started yelling at § 87(2)(b) for cutting him off earlier. § 87(2)(b) told PO Perez to calm down, but PO Perez kept yelling at and threatening § 87(2)(b) for several minutes. PO Perez then flashed an NYPD shield, and § 87(2)(b) asked for his shield number. PO Perez replied, “Fuck you, that’s my shield number,” and immediately drove off without saying anything further (**Allegations A and B**).

Mediation, Civil, and Criminal Histories

§ 87(2)(b) rejected mediation. [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

§ 87(2)(b) A notice of claim request was submitted to the Comptroller’s office on June 12, 2015. It will be added to the case file upon its receipt.

Civilian and Officer CCRB Histories

- This is § 87(2)(b) first CCRB complaint.
- PO Perez has been a member of service for thirteen years. He has no substantiated allegations on his record, § 87(2)(g)

Potential Issue

§ 87(2)(g)

§ 87(2)(g)

Findings and Recommendations

Explanation of Subject Officer Identification

§ 87(2)(b) provided a photograph he took of the subject officer's vehicle, which was a blue Hyundai with license plate number § 87(2)(b) (01 Board Review). A DMV search indicated that this vehicle is registered to a Mr. Eddie Perez, whose date of birth is § 87(2)(b) (02 Board Review), and a CTS search confirmed that that is PO Eddie Perez' date of birth. PO Perez was off-duty for the entirety of May 14, 2015 (03 Board Review), which is consistent with § 87(2)(b) account. Additionally, § 87(2)(b) stated that there was a woman in the front passenger seat of the subject officer's vehicle when he first cut § 87(2)(b) off, that she was no longer in the vehicle after it stopped at § 87(2)(b) that there was a child's car seat in the back of the subject officer's vehicle, and that the subject officer mentioned he had an infant son during their argument at the intersection of Barnes Avenue and Pelham Parkway south (04 Board Review). PO Perez confirmed in his interview at the CCRB that he drives a Blue Hyundai Elantra, that his wife § 87(2)(b) and that he has a § 87(2)(b) son (05 Board Review).

§ 87(2)(b) described the subject officer as a 5'9" tall, 24-30 year-old, slim white male with short, light brown hair. PO Perez is a 5'10" tall, 185 pound, § 87(2)(b) -old Hispanic male with short brown hair. Although this description is not a perfect match, its deficiencies are understandable, as the subject officer never exited his vehicle while speaking to § 87(2)(b) and the interaction itself was brief.

§ 87(2)(g)

Allegation A: Discourtesy – PO Eddie Perez spoke rudely to § 87(2)(b)

Allegation B: Abuse of Authority – PO Eddie Perez refused to provide his shield number to

§ 87(2)(b)

§ 87(2)(b) alleged that PO Perez flashed his shield at § 87(2)(b) after yelling at him for several minutes from inside of his vehicle. § 87(2)(b) then said, "Hey, wait a minute. I want your shield number." PO Perez responded, "Fuck you, that's my shield number," and drove off without providing the requested information.

PO Perez confirmed he was off-duty on May 14, 2015. However, he did not recall leaving his home that day. He did not recall having any interaction with § 87(2)(b) on that date, and he did not recognize § 87(2)(b) upon being shown a photograph of him. PO Perez denied that § 87(2)(b) requested his shield number, and that he responded to such a request by stating, "Fuck you, that's my shield number."

§ 87(2)(g)

§ 87(2)(h)

§ 87(2)(h)

§ 87(2)(g) [Redacted]
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Additionally, PO Perez confirmed that he carries his shield, even when off-duty. § 87(2)(g)

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§ 87(2)(g) [Redacted]
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Team: _____

Investigator:	_____	_____	_____
	Signature	Print	Date

Supervisor:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date